(75)

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.

WRIT PETITION NO.806 OF 2003

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| PETITIONER | | Sachin Dubey, age 28 years, S/o Shri G.P.Dubey, R/o C/o Shri Bhagwat Prasad Dubey, Sadar Bazar, Bilaspur (C.G.) |
| | versus | |
| RESPONDENTS | 1. | South Eastern Railways : Through Divisional Railway Manager, Bilaspur |
| | 2. | The Sr. Divisional Commercial Manager, South Eastern Railway, Bilaspur |

Present : Mr. P.R.Patankar, learned counsel for the petitioner.
Mr. Vinay Harit, learned Senior Counsel with Mr. Narayan Shrivastava, learned counsel on behalf of the Railways.

ORAL ORDER
(Passed on 13th February, 2006)

The facts of this case are substantially similar to the facts of the case in Writ Petition No.1713 of 2003. In this case too, the Railway Administration refused to renew the licence in favour of the petitioner to function as Railway Traveling Service Agent on the ground that it had already called for fresh applications for awarding licence. Therefore, the impugned order cannot be sustained for the reasons stated by me in my order separately made in Writ Petition No.1713 of 2003.

2. In the result and for the foregoing reasons, this writ petition is allowed and the impugned order marked as Annexure P-10 dated 17-01-2003 is quashed. No costs. A direction shall issue to the respondents to consider the application/letter of the petitioner dated 12-12-2002 for

grant of renewal of licence to act as Railway Traveling Service Agent, strictly in accordance with law and keeping in mind the provisions of Rule 7 of the Rules made by the Central Government in exercise of the powers conferred by Clause (g) of sub-Section (1) of Section 47 of the Indian Railways Act, 1890, within a period of six weeks from the date of receipt of a copy of this order.

Sd/-

CHIEF JUSTICE

Gopal